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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/885,269	09/15/2000	Lawrence N. Crane	3693-001688	3407	
7	7590 12/13/2005			EXAMINER	
	neim Logsdon Orkin &	FEELY, MICHAEL J			
700 Koppers B	uilding				
436 Seventh Avenue			ART UNIT	PAPER NUMBER	
Pittsburgh, PA 15219-1818			1712		

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on 26 September 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 2-4,7.8,10,12,14 and 16-25 is/are pending in the application. 4a) Of the above claim(s)			Application No.	Applicant(s)				
Michael J. Feely 1712	Office Action Summary		09/885,269	CRANE ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Edentation do them may be wideled under the provision of 37 CRT 1-3(in), in ne event, however, may a reply be timely fleet in the communication of the provision of the communication of the provision of the pro			Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Editablicate of time may be available under the provisions of 37 CFR 1.13(6). In ne event, hower, may a raply be timely filed after SIX (6) MONTIS from the mailing date of this communication. Failine to recy within the set or extended period for reply will. by station, cause the application to become ABANDONED, 33 U.S.C. § 133). Any reply received by the Diffice later than the more marked period for reply. Will. by station, cause the application to become ABANDONED, 33 U.S.C. § 133). Any reply received by the Ciffice later than the removement than department. See 37 CFR 1.73(b). Status 1) □ Responsive to communication(s) filed on 26 September 2005. 2a□ □ This action is FINAL. 2b) □ This action is non-final. 3□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims A □ Claim(s) 2-4.7,8.10.12.14 and 16-25 is/are pending in the application. 4a Of the above claim(s) is/are withdrawn from consideration. 5 □ Claim(s) 2.3.7 and 25 is/are allowed. 6 □ Claim(s) 2.3.7 and 25 is/are allowed. 6 □ Claim(s) is/are objected to. 9 □ The specification is objected to by the Examiner. 10 □ The drawing(s) filed on 15 September 2000 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.18(a). 11 □ □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Critified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received. 4 □ Interview Summany (PTO-413	Period fo	or Reply						
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Application/Control Number: 09/885,269

Art Unit: 1712

DETAILED ACTION

Pending Claims

Claims 2-4, 7, 8, 10, 12, 14, and 16-25 are pending.

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. The previous rejection of claims 2-4 and 7 under 35 U.S.C. 112, second paragraph, has been overcome by amendment.
- 3. Claims 4, 8, 10, 12, 14, and 16-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4: the - $(R_4)_p$ substituted - C_6H_5 (wherein R_4 is hydrogen, methyl, ethyl or propyl, and p is 1-5) improperly broadens the scope of R_1 and R_2 in parent claim 2, wherein R_1 and R_2 are each independently selected from hydrogen, methyl, ethyl, propyl, phenyl, hydroxyphenyl, methoxyphenyl, tolyl, and benzyl.

Regarding claim 10 (and dependent claims 8, 12, 14, and 16-24): divalent R in formulae (I) and (IX) is improperly limited with monovalent groups independently selected from C₁-C₁₀ alkyl, cycloalkyl, aryl, aralkyl, and alkaryl. This language should be change to: --independently selected from C₁-C₁₀ alkylene, cycloalkylene, arylene, aralkylene, and alkarylene-- to properly limit divalent R. Claims 8, 12, 14, and 16-24 are rejected because they are dependent from claim 10.

Application/Control Number: 09/885,269 Page 3

Art Unit: 1712

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. The rejection of claims 1, 5, 6, 9, 10, 17-22, and 26 under 35 U.S.C. 102(e) as being anticipated by Okoroafor et al. (Pub. No.: US 2001/0047043 A1) has been overcome by amendment.

Claim Rejections - 35 USC § 102/103

6. The rejection of claims 8 and 23 under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Okoroafor et al. (Pub. No.: US 2001/0047043 A1) has been overcome by amendment.

Allowable Subject Matter

- 7. Claims 2, 3, 7, and 25 are allowed.
- 8. Claims 8, 10, 12, 14, and 16-24 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- 9. Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Application/Control Number: 09/885,269

Art Unit: 1712

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Communication

Page 4

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael J. Feely whose telephone number is 571-272-1086. The

examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Feely Primary Examiner

Art Unit 1712

December 11, 2005

MICHAEL FEELY
PRIMARY EXAMINER